

Washington County Land Use Authority Meeting July 10, 2012

The Washington County Land Use Authority Meeting was held Tuesday, July 10, 2012 in the Council Chambers of the Washington County Administration Building located at 197 E. Tabernacle, St. George, UT. The meeting was convened at 1:30 p.m. by Chairman Doug Wilson.

Commissioners present: Deborah Christopher, Dave Everett, Mike Stucki, Kim Ford, JoAnn Balen and Rick Jones.

Excused: Julie Cropper (alternate).

Staff present: Deon Goheen, Planning & Zoning Administrator; Eric Clarke, Deputy Attorney; Doreen Bowers-Irons, Planning Secretary; Ron Whitehead, Public Works Director; Kurt Gardner, Building Official, Dean Cox, County Administrator, Kim Hafen, County Clerk, Alan Gardner, County Commissioner.

Chairman Wilson welcomed and thanked everyone for attending. He asked that cell phones be turned off. He led the Pledge of Allegiance after which, he explained meeting protocol.

I. STAFF COMMENTS. Review staff comments for each item listed below; Staff initiated.

II. CONDITIONAL USE PERMIT. Request permission for a Gypsum Mining Operation on 11.3 acres of BLM Land, Section 24, T43S, R17W, SLB&M; generally located west of St. George/Sun River area; Fred Johnson, agent, Good Earth Minerals, LLC, applicants.

The Planner stated this item had been tabled at the last meeting that was held on June 12, 2012 for further review of documentation and a more detailed site plan. Those documents have been submitted for the Commission to review. The proposed site is 5 miles west of the Bloomington area. Previously, the applicant submitted an application for a mining operation on BLM land in the Blake's Lambing Ground area in southwestern Washington County, to remove gypsum beds at the mine site. They propose to mine 800,000 tons of highly pure gypsum. This will encompass approximately 11.5 acres of land and they will haul the ore out on the Apex Mine Road to Old Hwy 91. The documentation, site plans, and other studies are available for review at the Planning Office. Mining is conditionally approved within the OSC-20 zone (*County Code 10-6A-3*). She gave a brief description of the submitted site plan and reminded the Commissioners of the items they wanted more detail on. The Planning Office has received a number of letters from SunRiver residents who are opposed to dust and noise pollution.

Fred Johnson, local geologist and consultant working with Good Earth Minerals explained the access from the Apex Mine Road and the lengthy process that was done to get to this point in the project. This process included acquiring State Permits, BLM Permits, Air Quality Permits, and Bonding. He reported on the environmental impact studies that were done and how the road work would be accomplished. He explained the mining process to extract the product and then moving it off site. The company has bonded for 13 acres of land and will utilize approximately 8 acres for mining and the remaining acres would be used for stock piling product, equipment, an office/guard station, port-a-potties and parking. He indicated the mine would be operating from dawn to dusk. The dust would be contained by using water which, they are in the process of procuring. The road would be widened. Trucks would be covered and clean before they enter the road. The mining would be done by "stripping" the product not blasting it. This will only be done where they are extracting product. They will not extract any more product than necessary nor will they stock pile it in order to keep it from becoming contaminated. He explained how they would meet the requirements imposed by the BLM and the State agencies. He stated Western Rock Products is the company contracted to extract and haul the gypsum. The gypsum is very pure and can be used for a number of items.

Commissioner Everett asked how deep the gypsum bed goes.

Mr. Johnson answered there are several 10 to 20-foot beds. The depth of the mining will not go below the overall drainage slope and that would be somewhere in the range of sixty-feet.

Commissioner Ford asked if there was an estimated timing of how long the mine would be in operation.

Mr. Johnson stated approximately 15 to 20 years; the BLM granted approval for mining for 20 years. It will depend on the market and hauling routes. He explained some of the logistical time constraints.

Commissioner Balen asked how many employees the mine anticipates to hire.

Mr. Johnson stated he would let Darrell Whitney of Western Rock Products address that question. However, initially there would be approximately 20 employees with a potential of up to 100 employees depending on the market. Mr. Whitney concurred with Mr. Johnson on the number of hires.

Commissioner Ford asked how much dust the crusher would create and is there a way to suppress the dust.

Darrell Whitney, Western Rock Products Representative reported on Western Rock and his experience in mining and crushing. He stated all of the dust can be contained once the miner gets started. He explained Air Quality allowances for dust and pollution. There is not much dust created with gypsum. He explained the mining process they expect to use.

Commissioner Ford asked what types of explosives would be utilized and who would be performing the blasting.

Mr. Whitney stated if there was any blasting, it would be subbed out to a certified blasting contractor. There would be no blasting materials stored on site. The only blasting that can be foreseen at this point is the initial blast to remove the hard cap from the top of the gypsum in the event that a D9 Cat Dozer cannot accomplish that task.

Commissioner Stucki asked where the initial staging area for the material would be located and what the time frame for starting would be.

Mr. Johnson informed the Commission they are looking at two possible sites. One is the Apex Mine on the Shivwits Reservation. They are working with Lawrence Snow for approval. They are also negotiating with an individual property owner along the route. In addition, they are negotiating purchasing water from the Shivwits for the project. The Apex Mine has buildings that could be utilized for storage. A road to the mining area will need to be constructed. They hope to start mining one to two months after the conditional use permit is in place.

Commissioner Jones asked how many trucks would be hauling material and was told there would be 2 or 3 trucks running two or three times a day.

A lengthy discussion occurred where the commission asked multiple questions which were answered in detail by the applicants. This included the logistics of the mine including storage, product sizes, mining operations, haul routes for the trucks and numbers of trips they would make, where the product would be shipped to which would depend on the market, number of jobs, the Environmental Assessment Study, dust, winds, noise, hours of operation, approval requirements from DEQ, BLM, Utah State Oil, Gas and Mining, Air Quality, and other mines ran by Western Rock Products. After which, the commission listened to comments from audience members.

It was noted a large number of citizens submitted letters with their concerns and indicating they are against the project.

Don Strickland, SunRiver resident and HOA President stated he was speaking for the residents in SunRiver Development. He stated their objections and concerns with the project regarding dust, noise, traffic, water, and blasting. They were never given any information regarding this mine operation. He stated the EA from BLM is not the same as what is being stated here. He stated this is not just an impact to SunRiver but to the County as a whole. He asked the commissioners to deny the request. However, if the request is approved he asked that a permanent monitoring system be installed as a condition to monitor the mine's dust and noise.

Lyle Hurd, a resident of Kayenta read a message he had received regarding changes to the original truck route utilizing Highway 91 to Sunset, then along Bluff to Interstate 15. He asked about the trucking routes. He stated his objections to the use and concerns with increased traffic of large trucks along Highway 91, through Ivins, Santa Clara and St. George. He stated this is a conundrum.

Mike Myers, of St. George stated he is a member of the recreation community. Highway 91 is a major route for bikers and runners and is already dangerous. With the increase of large trucks, bikers and runners would be in greater danger. The County welcomes sporting events however, this is opposite of that type of use.

Greg James, SunRiver residents stated his concerns that had not been addressed. One of those is that this is an attempt to violate the NEPA rules and will utilize more land than 11 acres. It will be more than 100 acres a little at a time. He expressed his objection to the operation and asked the commission to put stricter conditions on the request.

Ed Kovacs, SunRiver resident stated in the EA the noise study was downplayed. He spoke about the decibels allowed within the SunRiver community and what the noise level would be from the mine, which would be a large increase from what the community wants or bargained for.

John Hinton, resident of SunRiver stated his concern about the time frame of the mining operation being longer than what they are telling the commission. They have a website up and running where they are soliciting investors for 320 acres and 40 years of operation.

Kristi Nueffer, representing Citizens for Dixie's Future a coalition of over 1,800 members throughout the area not just in these two areas, stated their concerns with the air quality monitoring. DEQ only monitors once a year. She stated there is nothing the DEQ can do unless or until the mine is out of compliance. She asked that air quality monitoring equipment is put in place. She asked a condition of the permit is that the company is required to purchase the monitoring equipment and make the data continuously available to the public.

Ken Chase, resident of SunRiver concurred with Ms. Nueffer. He asked if any one had heard of Valley Fever and stated his concern of it happening. He explained how it is spread, noting it is in the spores in the dirt and dust. He asked that the air be monitored more than once a year.

A short discussion on Valley Fever occurred.

Shauna Johnson, resident of Washington County who has lived here for 17 years. Before that she lived in Iron County. She stated she represented the citizens who were for the project but who could not attend. She was in favor of jobs for the people of the county. She spoke about growing up in mining communities. She stated the tourism industry does not have near the jobs people think there are, especially, during the off season. People shouldn't have to leave their families to find jobs. She gave her support for the project. She stated most of the air quality issue is from the dust created from the cleared lands and developments that have not been completed.

Bob Cook, a SunRiver resident commented that SunRiver creates a lot of high paying jobs here in St. George in the home sales, the medical field, recreation, and retail sales. He spoke about the winds and dust control,

and bonding for the project. He is concerned with storage on the Indian Reservation. He wanted to know who would pay to put the property back once the mining has ceased operations.

Lisa Rutherford stated she is a resident of Ivins. She voiced her concerns and hoped that the commission would take into consideration the concerns presented. She spoke about the gypsum mine in Arizona and the affect it has on the County. She appreciated the comments on jobs but these types of jobs are not what the county should create and if people have to leave home to find work that is not such a bad thing.

Darcy Stewart, developer of SunRiver stated the SunRiver community has approximately 3,200 people and at build out will have nearly 5,000 people. He spoke about jobs and studies that had been done and the economic impact an active adult community has on communities. He reported the statistics of those studies. He claimed SunRiver community has created up to 800 jobs not to mention tax dollars that come from the residents. He stated his concerns are the precedents on where this mine will go once it is in operation. He urged the commission to keep the community pristine.

Dennis ?, stated he lives in SunRiver and a happy recipient of asbestos lung burns. "I can't wait for the mine to start up. Who would like to buy my house today? I just went down about my property tax and was told I live in such a pristine area they could not deduct one dollar from it. Well, what about now?" He spoke about being a hazard materials inspector and problems created with those types of industries. He stated he had to leave his home to go find work. That is the way it is! You go where the work is. He asked the commission take a hard look and that it not be in SunRiver's back yard.

Mr. Johnson said that it appears the concern is what are the precautions and how will they be addressed. This is what the process of going through all the agencies involved to get permitted, which is indicating the company agrees to and will comply with the regulations and requirements. A guard will be onsite during off hours. Compliance will be in place.

Chairman Wilson thanked everyone for their comments and questions. He stated the commission will now discuss findings and facts for the request.

Commissioner Christopher asked Mr. Whitehead a question on the location of the other gypsum mine in Arizona. Mr. Whitehead explained the current monitoring of air quality for Washington County indicating it is a volunteer basis to try to keep problems from occurring. Western Rock is one of those contractors working with that group. The mine in Arizona has also been working with the group to keep the dust and debris down as well as meet air quality guidelines.

Commissioner Ford asked if a study was done when SunRiver was developed whether or not mines would be a possibility in the area.

Darcy Stewart answered they did not go five miles out and it never occurred to them there would be material or mining five miles away. They only studied the land immediately surrounding the SunRiver Development.

Commissioner Christopher asked how far from the Arizona mine is SunRiver. Mr. Stewart answered about 7 miles away.

A discussion regarding the Arizona mine and air quality due to the mining activity occurred.

Commission Christopher stated the planning commission is in place to establish conditions to help mitigate potential problems with surrounding properties. She stated the commissioners and their families live here too and they also want quality of life.

Mr. Stewart stated a decision needs to be made on what direction the County wants to go in, whether they want a mining or a livable community.

Greg James concurred with Mr. Stewart. He stated there are always lots of routes that can be taken. A decision needs to be made on what type of communities the County wants, whether they want to attract retirees, a golf community, or a mining community. He spoke about Kennecott and how they monitor their ponds, air quality and pollution output.

Travis Christensen stated the reason they are looking at the Apex site is for the enclosed storage buildings to help keep the product as pure as possible. As for the type of community the county is trying to have, it is a diverse community. The County and cities within the county are trying to get more industry, touring, etc. this use meets that diversification.

Chairman Wilson stated they have to follow what is allowed by law. He then read Title 10 Chapter 18 Section 6 of the County Ordinance for requirements to approve or disapprove a conditional use permit request. After which, he asked the commission to discuss and make findings of facts and conditions. After a very lengthy discussion and additional comments the facts, findings and conditions imposed are as follows:

1. The use complies with all applicable provisions of Washington County ordinances, state and federal law.
2. The use is not detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
3. The use is consistent with the characteristics and purposes stated in the general plan, as amended.
4. The use is consistent with the characteristics and purposes stated for the zone.
5. The site plan review meets traffic safety conditions, adequate utility capacity; adequate emergency access; adequate parking; lighting and signage.
6. Requirements for the management and maintenance of facilities are adequate.
7. The use shall not result in a situation which will create a need for essential services which cannot be reasonably met by local service providers, including roads, utilities, emergency vehicle access, etc.
8. Meets specific Review Standards for mining operations;
 - o Noise and dust pollution shall not negatively impact surrounding uses in existence at the time the conditional use is approved by the county commission;
 - o Road ingress and egress are sufficient to allow safe travel for vehicle and pedestrians surrounding the conditional use.
 - o The hours of operation for crushing, processing or hauling aggregate do not significantly negatively impact surrounding uses in existence at the time the conditional use is granted. There may be restrictions on the hours of operation and roads available for the conditional use in areas where there are schools or residences in close proximity to the operation.
 - o A plan for reclamation of land that complies with all applicable provisions of Washington County ordinances, state and federal law. (*Ord. 2008-955-O, 2-19-2008*).

Conditions:

1. An air monitoring station shall be installed at the applicant's expense to meet the requirements of State, Federal, and the City of St. George to mitigate potential problems.
2. Dust shall be controlled to St. George City standards
3. Blasting hours shall be between the hours of 9:00 am to 3:00 pm only.
4. Sound shall not impact surrounding areas and shall be during operating hours only.
5. Proof of water for the site must be submitted.
6. Traffic shall not negatively impact Highway 91 or other traveled routes.
7. A plan of reclamation shall be met.
8. Additional signage shall be installed indicating large trucks along haul routes.

Commissioner Everett was against the truck traffic on the Highway 91 as it is used often for runners and bicycle traffic. Commissioner Balen wanted the route to be specifically identified. A discussion on the routes occurred. One of the proposed routes would need approval from the Port of Entry and the State of Arizona.

Commissioner Christopher stated if there are problems with the dust or issues the county should be called to help mitigate the issue. This permit is for one year and may or may not be extended. If there is legitimate complaints for problems the Commission can and will take action, if necessary by revoking the conditional use permit.

The Commission discussed the mining operation and they understood that SunRiver and the nearby communities would be impacted by the gypsum mine, however to what degree would not be measurable until monitoring devices were installed and data provided. The Commission agreed that the gypsum mine would be less intrusive than the existing gypsum operation in Arizona.

Motion: Commissioner Stucki **MOVED** to recommend approval of the Conditional Use Permit, for a Gypsum Mining Operation on 11.3 acres of BLM Land, Section 24, T43S, R17W, SLB&M; generally located in the OSC-20 zoning designation, west of St. George/Sun River area; Fred Johnson/Good Earth Minerals, LLC, applicants for one year with the following Findings, Facts and Conditions:

1. A record of decision has been issued by the BLM for this mining activity which includes all of BLM's conditions and requirements.
2. Any equipment, crushers and such that eject emissions into the air is accompanied by a permit from the State Division of Air Quality.
3. That the air emissions from this site will be monitored by the Utah State Division of Air Quality.
4. Water shall be secured for the use before the improvements can take place.
5. There shall be no onsite storage of explosives.
6. Site plan submitted complied with County Ordinances.
7. Proposed conditional use is consistent with the OSC-20 zone.
8. The hours of operation has been identified from Dawn to Dusk.
9. The applicants have met the development standards required by State and County Law.
10. The use complies with all applicable provisions of Washington County ordinances, state and federal law.
11. The use is not detrimental to the public health, safety and welfare of persons residing or working in the nearby vicinity, or injurious to property or improvements in the nearby vicinity.
12. The use is consistent with the characteristics and purposes stated in the general plan, as amended.
13. The use is consistent with the characteristics and purposes stated for the zone.
14. The site plan review meets traffic safety conditions, adequate utility capacity; adequate emergency access; adequate parking; lighting and signage.
15. Requirements for the management and maintenance of facilities are adequate.
16. The use shall not result in a situation which will create a need for essential services which cannot be reasonably met by local service providers, including roads, utilities, emergency vehicle access, etc.
17. A plan for reclamation of land that complies with all applicable provisions of Washington County ordinances.
18. Meets specific Review Standards for mining operations;
 - Noise and dust pollution shall not negatively impact surrounding uses in existence at the time the conditional use is approved by the county commission;
 - Road ingress and egress are sufficient to allow safe travel for vehicle and pedestrians surrounding the conditional use.
 - The hours of operation for crushing, processing or hauling aggregate do not significantly negatively impact surrounding uses in existence at the time the conditional use is granted. There may be restrictions on the hours of operation

and roads available for the conditional use in areas where there are schools or residences in close proximity to the operation.

CONDITIONS:

1. An air monitoring station shall be installed at the applicant's expense to meet the requirements of State, Federal, and the City of St. George to mitigate potential problems.
2. Dust shall be controlled to St. George City standards
3. Blasting hours shall be between the hours of 9:00 am to 3:00 pm only.
4. Sound shall not impact surrounding areas and shall be during operating hours only.
5. Proof of water for the site must be submitted.
6. Traffic shall not negatively impact Highway 91 or other traveled routes.
7. A plan of reclamation shall be met.
8. Additional signage shall be installed indicating large trucks along haul routes.
9. The applicant must follow all State, Federal and Local laws.

Commissioner Christopher **SECONDED**. The motion carried with all six (6) Commissioners voting in favor.

III. CONDITIONAL USE PERMIT REVIEW. Review of Motocross and ATV Track within the OST-20 zone, containing 20 acres, a portion of Section 15, T39S, R16W, SLB&M, generally located east of Hwy. 18 on North Baker Lake Road and 300 East in Central; Robert and Mary Houston, applicants and Gary Simonson, agent.

The planner reported this item was granted permanent status on June 14, 2011, although, with two events being held on two weekends in June, the planning office received several complaints on noise, dust, motor homes and travel trailers spending the weekend and no EMS service at the track. There were several instances where EMT's or ambulance service was needed. Staff reviewed the complaints and felt the solution to this problem would be for further planning review to see if more restrictions should be placed on the track or a reminder of what was previously approved, or to shut down operations.

Neither the applicants nor their agent was present.

Motion: Commissioner Stucki **MOVED** to table recommending conditional use permit review until the next meeting for the applicants or their agent to be present to answer questions and respond to the issues presented. Commissioner Balen **SECONDED**. The motion carried with all six (6) Commissioners voting in favor.

IV. CONDITIONAL USE PERMIT EXTENSION. Review extension on permission to construct and operate an asphalt plant, within the I-1 zone, Section 1, T40S, R13W, SLB&M, generally located near Pintura; SunRock/Russell Leslie, applicant.

The Planner reported the applicants had contacted the planning office and requested that the item be moved to the next meeting as they were not able to have a representative today.

Motion: Commissioner Everett **MOVED** to table recommending approval of the Conditional Use Permit extension to construct and operate an asphalt plant, within the I-1 zone Section 1, T40S, R13W, SLB&M, generally located near Pintura; SunRock/Russell Leslie, applicant until a representative could be in attendance. Commissioner Balen **SECONDED**. The motion carried with all six (6) Commissioners voting in favor.

V. CONDITIONAL USE PERMIT EXTENSION. Review extension of a gravel crushing operation located in a portion of Section 1, T40S, R13W, SLB&M, generally located in Washington County near Pintura; SunRock/Dana Truman, applicant.

The Planner reported the applicants had contacted the planning office and requested that the item be moved to the next meeting as they were not able to have a representative today.

Motion: Commissioner MOVED to table recommending approval of the Conditional Use Permit extension to construct and operate a gravel crushing operation within the I-1 zone Section 1, T40S, R13W, SLB&M, generally located near Pintura; SunRock/Dana Truman, applicant until a representative could be in attendance. Commissioner SECONDED. The motion carried with all six (6) Commissioners voting in favor.

VI. CONDITIONAL USE PERMIT EXTENSION. Review extension on a gravel crushing operations within Washington County: (1) Near Veyo, Utah, Section 11, T40S, R17W, SLB&M; and, (2) Frei Pit in Section 36, T41S, R17W, SLB&M generally located south of Ivins; Progressive Contracting Inc., applicant.

The planner reported this will be the 11th extension for these two sites and there seems to have been no activity at these locations. As per the previous meeting minutes, Progressive Contracting desires to retain the right of use for projects that may become available. Whereas, the County has been seeing a lot of development in the Ivins area, it would be well for the Planning Commission to review these uses annually and note that it is approved according to the conditions set at the previous meetings. The applicant

John Wilson, representing Progressive Contracting Inc. stated the Frei Pit is no longer being utilized and therefore they are withdrawing the Conditional Use Permit for that location. He asked the extension for the Veyo location be approved as they want to keep that opened in the event a job comes up to utilize those materials. He indicated there is a prospective NRCS job coming up.

Chairman Wilson asked if there had been any negative comments or any complaints regarding these operations. The Planner answered there had not been.

Motion: Commissioner Christopher MOVED to recommend approval of the Conditional Use Permit Extension for gravel crushing operation within Washington County near Veyo, Utah in Section 11, T40S, R17W, SLB&M for one year; Commissioner Stucki SECONDED. The motion carried with all six (6) Commissioners voting in favor.

No Action was taken on (2) Frei Pit in Section 36, T41S, R17W, SLB&M, located south of Ivins; Progressive Contracting Inc., applicant.

This item will go before the County Commission on August 7, 2012.

VII. CONDITIONAL USE PERMIT EXTENSION. Review extension on an Ultra-marathon event, Red Mountain 50K, which begins west of Central on dirt roads and runs south of Red Butte to Gunlock, then on the Shivwits Reservation along old Hwy. 91 to Ivins, Scheduled for April 27, 2013; Red Mountain Running LLC/Jeremy Frehner, applicant.

The Planner stated this will be the 4th extension on the Red Mountain 50K to be held in April 2013. This is an Ultra-marathon event 50K, which has approximately two hundred fifty (250) attendees listed under their special event coverage. The run begins west of Central on dirt roads and runs south of Red Butte to Gunlock, past the reservoir and through the Shivwits Indian reservation and on to Unity Park in Ivins. As previously reported, the applicant has obtained letters from the Public Works Department, BLM, and the County Sheriff. The Shivwits Indian Representative granted approval for crossing the reservation. The county would want to continue to be listed as a beneficiary on the liability insurance policy, review communication and emergency access.

She stated the applicant had been in attendance but had to leave. He wrote her a note indicating if the commission was comfortable approving the extension to let him know. If not, and they would like him to be in attendance, to reschedule and he will attend to answer their questions. She asked how the commission wanted to proceed.

The commission agreed they would like to have the applicant to be in attendance.

Motion: Commissioner Stucki MOVED to table recommending approval of the Conditional Use Permit extension on an Ultra-marathon event, Red Mountain 50K, which begins west of Central on dirt roads and runs south of Red Butte to Gunlock, then on the Shivwits Reservation along old Hwy. 91 to Ivins, Scheduled for April 27, 2013; Red Mountain Running LLC/Jeremy Frehner, applicant until a representative could be in attendance. Commissioner Balen SECONDED. The motion carried with all six (6) Commissioners voting in favor.

VIII. PUBLIC HEARING. Open hearing for Washington County General Plan Amendment on text changes to the public lands portion, part of the Washington County General Plan; County initiated.

The planner stated the commission will need to open a public hearing referenced by State Code, whereas amending the Washington County General Plan requires a minimum ten days published notice and 24 hour posting of agenda before other public meeting.

Chairman Stucki MOVED to open the Public Hearing Commissioner Christopher SECONDED. The motion carried unanimously and the hearing was opened.

Kristine Nueffer, Citizens for Dixie's Future representative, stated her concerns and discomfort with a few of the changes. She appreciated public opinion being taken into consideration and noted this would be a good reinforcement of ordinances and rules.

Lisa Rutherford stated she had attended several meetings throughout various organizations and felt there should have been a better way to make residence more aware of the items being discussed with a better presentation. She suggested a public comments website.

Chairman Wilson apologized and informed her that there were some technical difficulties with the equipment otherwise the presentation would have been more visible.

There were no more comments.

Chairman Ford MOVED to close the Public Hearing Commissioner Stucki SECONDED. The motion carried unanimously and the hearing was closed.

VIII. GENERAL PLAN AMENDMENT. Consider approval on amendment to the Washington County General Plan on text changes to a part of the public lands portion of the General Plan; County initiated.

The Planner stated as reported at the beginning of the year, there would be several text changes to the General Plan public lands portion after the initial approval. The County Commission made several suggestions to Deputy Attorney Rachelle Ehlert and she has provided the commission with the redlined copy. Commissioner Alan Gardner has worked closely with the attorneys office on these changes that have been properly advertised.

The Commission discussed and created the facts and findings as follows:

- The General Plan was created with the idea that the Planning Commission review and recommend amendments as necessary to ensure quality of life, health, safety, and welfare in Washington County.

- These amendments clarify the existing Washington County General Plan.
- Allows more local input with Federal and State Agencies for the betterment of Washington County.

Motion: Commissioner Stucki **MOVED** to recommend approval on amendment to the Washington County General Plan Amendment on text changes to the public lands portion, part of the Washington County General Plan; County initiated, with the following Facts and Findings:

1. The General Plan was created with the idea that the Planning Commission review and recommend amendments as necessary to ensure quality of life, health, safety, and welfare in Washington County.
2. These amendments clarify the existing Washington County General Plan.
3. Allows more local input with Federal and State Agencies for the betterment of Washington County.

Commissioner Balen **SECONDED**. The motion carried with all six (6) Commissioners voting in favor.

This item will go before the County Commission on August 7, 2012

X0. STAFF DECISIONS. Review of decisions from the Land Use Authority Staff Meeting held on July 03, 2012; County initiated.

The Planner reviewed the decisions of the Land Use Authority Staff Meeting held June 03, 2012 as reported below.

ACTIONS OF THE LAND USE AUTHORITY STAFF MEETING **July 3, 2012**

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; Eric Clarke, Deputy Civil Attorney; Todd Edwards, County Engineer; Darwin Hall, Ash Creek Special Service District; Tina Esplin, Washington County Water Conservancy District; Becky Marchal, Questar Preconstruction Specialist Director Paul Wright, Department of Environmental Quality; and Robert Beers, Southwest Utah Public Health Department.

Excused: Ron Whitehead, Public Works.

CONDITIONAL USE PERMIT EXTENSION:

A. Request permission for a single family dwelling (cabin) within the A-20 zone in Pinto Townsite. Monica Hafen, applicant.

This is the 3rd extension review for a single family dwelling within the A-20 zone. The building permit #6037 was issued and an inspection for permanent power was completed on May 24, 2012. As previously reviewed, the property was deeded as this size of parcel in 1971, so this is a grand-fathered parcel. A lot line adjustment was made, which made the parcel several feet smaller and the applicant's father-in-law is the owner of this parcel and surrounding parcels. The applicant has obtained approval of the Washington County Water Conservancy District (WCWCD) on densities in the Pinto area and the Southwest Utah Public Health Department (SWUPHD) has issued a septic permit. The private well meets quantity and quality. The site plans shows that the setback requirements are met within that zone. **The staff approved the Conditional Use Permit Extension for another one (1) year period.**

LOT LINE ADJUSTMENT:

A. Request permission for a lot line adjustments in Pine Valley Ranchos Plat "C", Lots 23A, 24, & 25, with lot 23B being divided 3 ways adding portions to the other parcels. McKell Family Trust, Hafen Family LD, & David Bear, applicants.

Gary McKell, the applicant, submitted an amended plat of the Pine Valley Ranchos Subdivision to resolve the issue of an encroaching home located on Lot 24. Each parcel, Lot 24 and 25 contain more than 13,500

square feet, meeting the requirements of the zoning ordinance. They would each split the north portion of Lot 23B and Lot 23A would purchase the south portion of 23B. The planner explained that the County Engineer, Todd Edwards indicated that everything seems to be order. The power pole easements should be noted on the survey plat and any other easements recorded with the deeds. **Staff felt there should be no problem in granting the Lot Line Adjustment, subject to the items requested by staff; filing a survey plat with the Washington County Map Depository and Planning Office within the required 90 days of survey and recording deeds of record.**

Staff reviewed one (1) Conditional Use Permit to be reviewed by the Planning Commission on their regular agenda. They reviewed five (5) Conditional Use Extensions and General Plan Amendments for public lands test changes scheduled for Planning Commission hearing.

XII. MINUTES. Consider approval of the minutes of the regular Planning Commission meeting held June 12, 2012.

The commission discussed the minutes and found a correction needed to be made.

Motion: Commissioner Christopher MOVED to adopt the minutes of June 12, 2012 as corrected. Commissioner Stucki SECONDED. The motion passed with six (6) commissioners voting aye.

XII. COUNTY COMMISSION ACTION REVIEW. Review of action taken by the County Commission on Planning Items on June 19, 2012 and July 3, 2012 ; County initiated.

The Planner reported on actions taken on planning items by the Washington County Commission on June 19, 2012 and July 3, 2012, beginning at 4:00 p.m. which were: (a) Zone change approval from OST-20 to RE-40.0, containing 9.97 acres, generally located southeast and adjacent to Diamond Valley Acres; Monty Bundy, applicant; and (b) Final approval for Bundy Subdivision – Phase 2, 4 lots, containing 9.97 acres, generally located adjacent to Diamond Valley Acres; Monty Bundy, applicant.

XIII. COMMISSION & STAFF REPORTS. General reporting on various topics; County initiated.

Ron Whitehead thanked the commission for their time. He stated when there are a lot of public concerns with projects; they always come back to the County. That is why when the items are first heard it is a good idea to make sure everyone knows up front of restrictions and requirements to mitigate potential issues.

Motion was made by Commissioner Balen to adjourn the meeting at 4:45 p.m.

Doreen Bowers-Irons
Planning Secretary

Approved: 14 August 2012